

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

December 13, 2001

DIVISION ONE

B146227 Action Apartment Assoc., et al. (Certified for Partial Publication)
 v.
 Santa Monica Rent Control Board

The order sustaining the demurrer without leave to amend and the judgment dismissing the action are reversed. Plaintiffs are entitled to costs on appeal.

Mallano, J.

We concur: Spencer, P.J.
 Ortega, J.

B149096 Pedus Building Services, Inc.
 v.
 Allen et al.

Filed order vacating submission order of 11/20/01. Court is considering taking judicial notice of records of the California Secretary of State. The matter shall be resubmitted upon the expiration of the 15-day period provided for the parties to reply.

DIVISION TWO

B143584 People (Not for Publication)
v.
Lewis

The judgment is modified to reflect imposition of a \$200 parole revocation fine, which is suspended unless parole is revoked. The superior court is directed to prepare an amended abstract of judgment accordingly. In all other respects, the judgment is affirmed.

Cooper, J. (Assigned)

We concur: Nott, Acting P.J.
 Todd, J.

[illegible]

The judgment is affirmed.

Cooper, J. (Assigned)

We concur: Boren, P.J.
 Nott, J.

B146184 Schapiro (Not for Publication)
v.
Morgan Creek Productions

The order granting the motion to disqualify Deixler and Proskauer is reversed. Costs of appeal are awarded to appellant.

Todd, J.

We concur: Boren, P.J.
 Nott, J.

December 13, 2001-Continued

DIVISION TWO (Continued)

B143260 Mattel Inc. (Not for Publication)
v.
Luce, Foward, Hamilton & Scripps

The judgment is reversed. Appellant(s) to recover costs.

Todd, J.

We concur: Boren, P.J.
 Nott, J.

B145709 Ozante (Not for Publication)
v.
County of Los Angeles

The judgment (order of dismissal) is affirmed. Respondent(s) to recover costs.

Cooper, J. (Assigned)

We concur: Nott, Acting P.J.
 Todd, J.

DIVISION THREE

B146173 People (Not for Publication)
v.
Avendano

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

December 13, 2001-Continued

DIVISION THREE (Continued)

[illegible]

The judgment is modified by striking appellant's sentence on the receiving stolen property conviction pending completion of his sentence on his conviction for first degree residential burglary, said stay to then become permanent. As modified, the judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

B144735 Kenneth G. Keel (Not for Publication)
v.
County of Los Angeles et al.

The judgment is affirmed. Respondent(s) to recover costs.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION FOUR

Court convened at 9:00 A.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Curry, J. and S. Veverka, Deputy Clerk.

DIVISION FOUR (Continued)

Each of the following:

B142548 People v. Terry
B149370 People v. Moreland
B144792 People v. Williams
B148233 People v. Hackman

Argument waived, cause submitted.

B153616 Maldonado et al.
 v.
 Superior Court, Los Angeles County
 (ICG Communications et al., r.p.i.)

Merits:

Argued by John A. Marder for petitioners and by Gabriel A. Sandoval for
real parties in interest. Cause submitted.

B144446 Quebecor Printing Corp.
 v.
 Comedy III Productions

Merits:

Argued by Robert N. Benjamin for appellants and by Stephen Snipper for
respondent. Cause submitted.

B147156 Honea
 v.
 Bank of America

Merits:

Argued by James L. Kellner for appellant and by Gary Tokumori for
respondent. Cause submitted.

DIVISION FOUR (Continued)

B145283 Friends of the Santa Clara River
v.
Castaic Lake Water Agency

Merits:
Argued by Susan Brandt-Hawley for appellant and by R. Bruce Tepper for respondent. Cause submitted.

B145472 People
v.
Roberts

Merits:
Argued by Joanna McKim for appellant and by Catherine T. Okawa for respondent. Cause submitted.

Vogel, P.J., leaves the bench.

B151002 Smith
v.
W.C.A.B.
Yoon

Merits:
Argued by Anthony Mischel for petitioner and by Lawrence Kirk for respondent. Cause submitted.

B151002 Millan
v.
Southern California Gas Company

Merits:
Argued by David B. Reeves for appellant and by William A. Reich for respondent. Cause submitted.

Court in recess.

DIVISION FOUR (Continued)

Court reconvened at 1:30 P.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Curry, J. and S. Veverka, Deputy Clerk.

Each of the following:

B147255 People v. Wiggins
B147678 People v. Duran
B142731 People v. Limon
B148546 People v. McCauley
B146301 People v. Caliz
B149440 People v. Little

Argument waived, cause submitted.

B147014 People
 v.
 Reed

Merits:

Argued by Steffan Imhoff for appellant and by Kenneth N. Sokoler for respondent. Cause submitted.

B133238 Schneider
 v.
 California Federal Bank

Merits:

Argued by Betty Schneider appellant in propria persona and by Tod M. Castronovo for respondent. Cause submitted.

DIVISION FOUR (Continued)

B146170 Fath
 v.
 Salehipour

Merits:
Argued by Robert M. Victor for appellant and by Emily S. Edelman for respondent. Cause submitted.

B142816 Torkan
 v.
 Kermanshahchi

Merits:
Argued by Leo Fasen for appellant and by Steven J. Shapero for respondent. Cause submitted.

B144255 Harford
 v.
 City of Santa Clarita et al.

Merits:
Argued by Frank Harford, appellant in propria persona, and by H. Esther Kim for respondent. Cause submitted.

B141909 Jagodowicz
 v.
 Seaver et al.

Merits:
Argued by Marsha Temple for appellants Seaver et al., by Douglas J. Collodel for appellant Unihealth and by Suzanne Rand-Lewis for respondent. Submission deferred. Counsel for respondent given five days to submit supplemental brief, then cause to stand submitted.

DIVISION FOUR (Continued)

B147321 Gottlieb
 v.
 Culp, Inc. et al.

Merits:
Argued by Stephen F. Danz for appellant and by Christopher W.
Carlton for respondent. Cause submitted.

Court adjourned.

DIVISION SIX

Court convened at 9:00 A.M.

Present: Yegan, Acting P.J., Coffee, J., Perren, J. and G. Bents, Deputy Clerk.

B147638 Dekofsky v. Brea Range, Inc.

 Argument waived, cause submitted.

B147705 Murrell
 v.
 Herman

Appearances:
Jeffery Herman, respondent in propria persona. No Appearance for
appellant. Argument waived, cause submitted.

B153227 Maria P.
 v.
 Ventura County Superior Court
 (Human Services Agency, r.p.i.)

Extraordinary:
Presented by Richard C. Gilman for petitioner and by Joseph J. Randazzo,
assistant county counsel, for real party in interest. Cause submitted.

DIVISION SIX (Continued)

B149708 Snellenberger
 v.
 Conejo Valley Unified School Dist.

Merits:
Argued by Mary L. Dowell for appellant and by Paul D. Powers for
respondent. Cause submitted.

Court recessed at 10:10 A.M.

Court reconvened at 1:30 P.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Deputy Clerk.

Each of the following:

B142792 People v. Gonzales
B145323 People v. Archie
B146159 People v. Luna
B146182 People v. Wilson
B147534 People v. Flores
B148235 People v. Salas
B148256 People v. Massey
B148327 People v. Hodges
B148731 People v. Cervantes
B148736 People v. Bustillos
B148986 People v. Carr
B149067 People v. Metoyer
B149129 People v. Boren
B149420 People v. Seabolt
B149964 People v. Gonzalez
B150999 People v. Ruben M.
B153471 In re Sena on Habeas Corpus

Argument waived; cause submitted.

DIVISION SIX (Continued)

B147035 People v. Hueston

Argument continued to January, 2002.

B144509 People
 v.
 Mariscal

Appearances:

Janet V. Mitchell for appellant. Appearance waived by respondent.

Argument waived, cause submitted.

B144864 People
 v.
 Boatman

Merits:

Argued by Jeffrey Allen Needelman for appellant. Argument waived by respondent. Cause submitted.

B149669 People
 v.
 Nolan

Merits:

Argued by Julia Swanson for appellant. Argument waived by respondent. Cause submitted.

B150279 People
 v.
 James D.

Merits:

Argued by Steve Pell for appellant. Argument waived by respondent. Cause submitted.

DIVISION SIX (Continued)

B145809 People
 v.
 Esparza & Esparza

Merits:
Argued by Ronald H. Gill for appellants. Argument waived by respondent.
Cause submitted.

B147515 People
 v.
 Fernando T.

Merits:
Argued by Laini M. Melnick for appellant and by Daniel Rogers, deputy
attorney general, for respondent. Cause submitted.

B145828 People
 v.
 Wollschlager

Merits:
Argued by Jean F. Matulis for appellant and by Daniel Rogers, deputy
attorney general, for respondent. Cause submitted.

B147843 People
 v.
 Tamayo

Merits:
Argued by Meghan B. Clark for appellant and by Rori M. Ridley, deputy
attorney general, for respondent. Cause submitted.

Gilbert, P.J. left the bench.

DIVISION SIX (Continued)

B149372 People
 v.
 Washington

Merits:

Argued by Allison H. Ting for appellant and by John Yang, deputy attorney general, for respondent. Cause submitted.

Court adjourned at 3:15 P.M.

B152991 People
 v.
 Rosana Olvera, Frank Olvera, Terry Schell and Benny Lopez.

Filed order consolidating appeals B152991, B152669 and B154501.